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KENNETH NICHOLSON,	:	
	:	13 Civ 0323(TPG)
	:	
Plaintiff,	:	
	:	
- against -	:	<u>Pro Se</u>
	:	
BRIAN FISCHER, <u>et al.</u> ,	:	
	:	
Defendants.	:	
-----X		

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law dated July 10, 2013, and all other prior pleadings and proceedings herein, the undersigned, on behalf of defendant the State of New York, will move this Court, before the Honorable Thomas P. Griesa, United States District Judge, at the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, New York, for an order pursuant to Rule 12(b)(6) of the Fed. R. Civ. P. granting defendants' motion to dismiss for defendants Brian Fischer, Michael Capra, William Keyser, Emil Mejia, Francisco Malave, and Laurie Campbell, for lack of personal involvement.

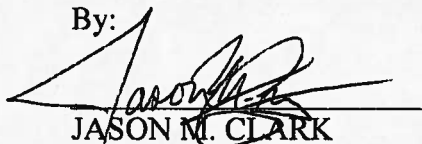
Additionally, Tijuana Patterson should be dismissed because verbal harassment does not rise to the level of a constitutional deprivation.

Dated: New York, New York
July 10, 2013

Respectfully submitted,

ERIC T. SCHNEIDERMAN
Attorney General for the State of New York
Attorney for Defendants

By:

A handwritten signature in black ink, appearing to read "Jason M. Clark", is written over a horizontal line.

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